

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

THE UNITED STATES OF AMERICA,

CRIMINAL NO. 17-20183

Plaintiff,

HON. MARK A. GOLDSMITH

v.

D-2 JANETTE GAGGO TAWFIK,

D-3 SHELVE LEWIS AVERY,
A/K/A “Q,”

D-4 TERRY PRUITT,
a/k/a “T,”

D-6 MICHAEL ANTHONY RANDOL,
a/k/a “MAN,”

D-7 CHARLES THOMAS FORD JR.,
A/K/A “CHUCK D,”

D-8 JACK HANA YAKO,

D-9 KEMAL GABRAIL,

Defendants.

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**STIPULATION FOR CONTINUANCE AND EXCLUDABLE DELAY AND
SETTING DATES AS TO DEFENDANTS JANETTE TAWFIK GAGGO,
TERRY PRUITT, MICHAEL RANDOL, SHELVE AVERY, CHARLES
FORD, JACK HANA YAKO, AND KEMAL GABRAIL**

On November 14, 2018, this Court held a status conference (the “Status Conference”), where all defense counsel were present, and Defendants Janette Tawfik Gaggo, Terry Pruitt, Michael Randol, Shelvie Avery, Charles Ford, Jack Hana Yako, and Kemal Gabrail (collectively for these defendants, the “Defendants,” and with the government, the “parties”) agreed on the record to

waive their rights under the Speed Trial Act and to excludable delay through a new trial date of January 6, 2020. The parties discussed case management, discovery, and speedy trial issues before the Court. The parties also agreed to these other dates: April 15, 2019, for motion cut-off; November 5, 2019, for plea cut-off; and December 3, 2019, for final pretrial hearing.

The parties agree and stipulate, as they did at the Status Conference, that there is good cause to adjourn this matter, and for the Court to set the following dates: April 15, 2019, for motion cut-off; November 5, 2019, for plea cut-off; December 3, 2019, for final pretrial hearing; and January 6, 2020, for the trial date. *See* 18 U.S.C. §3161(h)(7). This extension of time is necessary to allow the parties to investigate the facts of this case further, to review voluminous discovery, to engage in plea negotiations, and because the failure to grant such a continuance would unreasonably deny Defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Defendants concur in this request and agree that it is in their best interest.

The parties also stipulate and agree that this stipulation and any order resulting therefrom shall not affect any previous order of pretrial detention or bond.

The parties also stipulate and agree that the period from November 14, 2018 to January 6, 2020 should be excluded from computing the time within which a trial must begin for the reasons set forth herein, and because the ends of justice served by

such continuance outweigh the interests of the public and Defendants in a speedy trial. *See* 18 U.S.C. § 3161(h)(7).

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Defendants.

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**ORDER FOR CONTINUANCE AND EXCLUDABLE DELAY
AND SETTING DATES**

This matter coming before the court on the stipulation and agreement of Defendants Janette Tawfik Gaggo, Terry Pruitt, Michael Randol, Shelvie Avery, Charles Ford, Jack Hana Yako, and Kemal Gabrail (“Defendants”) and the government, it is hereby:

ORDERED that good cause exists adjourn this matter, and for the Court to set the following dates: April 15, 2019, for motion cut-off; November 5, 2019 @

2:00 p.m., for plea cut-off; December 3, 2019 @ 2:00 p.m, for final pretrial hearing; and January 6, 2020 @ 8:30 a.m., for the trial date. *See* 18 U.S.C. § 3161(h)(7).

ORDERED that the detention and bond orders in this case remain in full force and effect.

ORDERED that the period from November 14, 2018 to January 6, 2020 should be excluded from computing the time within which a trial must begin because the time is necessary to allow the parties to investigate the facts of this case further, to review voluminous discovery, and to engage in plea negotiations; and because the failure to grant such a continuance would unreasonably deny Defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and because the ends of justice served by such continuance outweigh the interests of the public and Defendants in a speedy trial. *See* 18 U.S.C. § 3161(h)(7).

IT IS SO ORDERED.

Dated: February 1, 2019
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge